



IAP6 Rec'd PCT/PTO 08 MAR 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: -DJURUP2

In re Application of:  
Rene DJURUP et al.  
Serial No. 10/572,603  
IA Filing Date: September 17, 2004  
For: PRO-INFLAMMATORY AND ANTI-INFLAMMATORY...

) Application Division  
) ATTN: PCT  
) Washington, D.C.  
) Confirmation No. 2533  
) Date: March 8, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated November 8, 2006. Attached hereto is/are:

- ☒ An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and PCT information.  
☒ A Preliminary Amendment ☒ Fees are reduced due to elimination of claim multiple dependencies.  
☒ An Information Disclosure Statement with 08A- 1449 and 49 references.  
☒ Additional fees as calculated below:

Search Fee \$400.00 and Examination Fee \$200.00		\$600.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
4	X \$250.00	\$1000.00
Number of Claims Previously Paid For	Number of Extra Claims	Rate
40- 20 =	20	X \$ 50.00
3- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$2730.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
SUBTOTAL		\$2730.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$2730.00

- ☐ Surcharge for late filing of the Declaration was paid on \_\_\_\_\_  
☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity  
Response Filed Within  
[ ] First - \$ 60.00  
[ ] Second - \$ 225.00  
[ ] Third - \$ 510.00  
[ ] Fourth - \$ 795.00  
[ ] Fifth - \$1,080.00  
month after time period set

Other Than Small Entity  
Response Filed Within  
[ ] First - \$ 120.00  
[XX] Second - \$ 450.00  
[ ] Third - \$1,020.00  
[ ] Fourth - \$1,590.00  
[ ] Fifth - \$2,160.00  
month after time period set

☒ Total fees enclosed: \$3180.00

☒ Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$3180.00 is enclosed to cover the above fees.  
☒ Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

03/09/2007 JBALINAN 00000049 10572603

01 FC:1633 200.00 OP  
02 FC:1642 400.00 OP  
03 FC:1681 1000.00 OP  
04 FC:1615 1000.00 OP  
IPC:dac  
05 FC:1617 130.00 OP  
06 FC:1252 450.00 OP

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

1A

HO.B.

U.S. APPLICATION NUMBER NO. 10/572,603	FIRST NAMED APPLICANT Rene Djurup	ATTY. DOCKET NO. DJURUP2
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INTERNATIONAL APPLICATION NO.
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PCT/DK04/00634

I.A. FILING DATE 09/17/2004	PRIORITY DATE 09/19/2003
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001444

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CONFIRMATION NO. 2533

371 FORMALITIES LETTER



\*OC000000021158465\*

Date Mailed: 11/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/20/2006
- Copy of the International Search Report filed on 03/20/2006
- Copy of IPE Report filed on 03/20/2006
- Biochemical Sequence Diskette filed on 03/20/2006
- Biochemical Sequence Listing filed on 03/20/2006
- Request for Immediate Examination filed on 03/20/2006
- U.S. Basic National Fees filed on 03/20/2006
- Priority Documents filed on 03/20/2006
- Specification filed on 03/20/2006
- Claims filed on 03/20/2006
- Abstracts filed on 03/20/2006
- Paper nucleotide sequence listings filed on 03/20/2006

NSP/IDS: 08 JA2007.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$2910** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$4140** for a Large Entity:

- **\$130** Surcharge.
  - The specification and drawings contain more than 100 pages. Applicant owes **\$500** for **89** pages in excess of **100** pages for a non-small entity.
  - The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
  - The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 2910**
  - **\$400** for **2** independent claims over 3.
  - **\$2150** for **43** total claims over 20.
  - **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,603	PCT/DK04/00634	DJURUP2